

**CONSERVATION COMMISSION**  
**781-982-2100**

**Minutes**  
**July 22, 2014**  
**7:00 p.m.**  
**Buckley Room**

Members Present: Joe Feeney, Jerry Kelliher, Mike Noonan, Russ Forsythe, Denis Bergin  
Absent: Kathy Creighton, Bill Stone

7:20 p.m. Meeting reconvened after Executive Session.

**Continued hearing, NOI, David Aylward, 1066 Washington Street, Abington, to re-establish swales to correct drainage problem in backyard at 1066 Washington Street.** DEP # hasn't been issued as yet. The Aylwards were not in attendance. Continued to August 12, 2014

**Continued hearing, NOI 84-465, Paul Barry, Brendan Realty Trust, for the construction of an office building including site work within the buffer zone at 0 Adams Street, Map 69, Lot 1.** Al Trakimas, SITEC, requested continuation to September 9, 2014. They are working on Planning Board comments.

Motion to continue to September 9, 2014 made by Denis, seconded by Russ, unanimous.

**Meeting with Fred Butts re 1550 Bedford Street wetlands violations.** Fred Butts, the owner of the property, attended the meeting. Board noticed there had been buildings put up close to the wetlands. His neighbor put on addition, and when it was inspected, he was called in by building inspector at the time. At their meeting, the building inspector didn't have a problem with it. Buildings are mobile buildings. Has landscaping tenants, doing patios, bringing materials in and out. Buildings aren't on structures. They can be picked up and moved. They have been operating for a number of years this way. He has the last lot in Abington.

Jerry – the commission had received a complaint letter, which is why he went out there. He left his card, and made contact by phone. It looked like there had been filling in the wetlands. Jerry had looked up the site on the DEP wetlands maps. Joe - board needs to do site walk. Whenever any work is done within 100' buffer zone of wetlands, you need to come before the Commission. Whole property is probably within the buffer zone. Mr. Butts didn't have a problem with the board doing a site walk. Joe felt the site walk should be conducted with the owner. Jerry had gone on Steve Gosselin's property next door and looked over. He hadn't gone on this property. Mr. Butts - they are under a locked situation due to equipment on site. Property hasn't changed since he owned it. Owner would be willing to put up jersey barriers by wetlands. Site walk set up for Saturday, July 26<sup>th</sup> at 7:30 a.m.

**Informal meeting with John Kalemkeridis re 988 Bedford Street, #84-70** – John and his brother James explained building was built in 1989. The detention pond out back has filled in, and there are wetlands back there. They aren't having any problems, but concerned with widening of Route 18 as far as additional water with nowhere to go. They have called the state and made them aware of it. They contacted Highway Dept. about a year ago. Some of the property out back is town property. They wondered if it should be cleaned out. Joe - it should have been maintained. They just want board to be

aware. Vegetation has taken over, trees have fallen. When it was dredged out originally, neighbors' water conditions improved. Doesn't affect their building, but they wanted town to know. Joe - pulled original file and thought pipe in front maybe was blocked. There is probably a catch basin behind Fire Station that drains into the pond. Mike - there is a product for vegetation like this that's not harmful to fish. If it's environmentally safe, they could put it in the pond. Suggested keeping label in case anyone asks what they used. If they dredge with equipment, they would have to come back to the board. (Copy of minutes should be added to old file so we know they came in tonight.) There is dead tree out there - they can cut it up and take it out by hand.

**Request for Determination of Applicability, Richard Jordan, 95 Randolph Street, to remove brick wall and bring in fill to make yard more even with sidewalk for safety reasons at 95 Randolph Street.** Motion to open hearing made by Denis, seconded by Mike, unanimous. Mr. Jordan - he is bringing up land to side walk because he took out wall. There would be gap from yard to side walk. Has brought in haybales to keep it from washing into the river until grass takes, which is about 20' away. Opened to floor with no comments.

Motion for negative determination #3, with the condition that haybales be placed by the river, seconded by Jerry, unanimous.

**Request for Determination of Applicability, 1212 Bedford Street, Vincent D'Andrea, for the removal of existing sand/gravel loam piles located on the northwesterly portion of the site; the installation of a fence on top of existing jersey barriers; and the installation of a gate across the rear of the site. The removal of the stockpiled material will prevent runoff from the site onto the abutting property and adjacent wetland and the installation of the fence and gate will prevent unauthorized access.**

We were emailed that Vinnie was unable to attend; Joe replied that someone had to be here to continue. Vinnie visited the office to let us know he would not be able to attend tonight's meeting due to illness in the family and that there was incorrect information submitted by Brooke Monroe, which he took. He will bring in corrected information next week and requested a continuation to the second meeting in August.

Discussion by board; a NOI had been requested by the board in the enforcement order. Joe will look into what can be done. Board felt Joe could talk to town counsel. Mike - can we issue order to remove all fill, file NOI and start over? Denis - can the board amend enforcement order to replace land to what it was?

Motion by Mike to send town counsel the file on 1212 Bedford Street and see how it can be put back to original conditions, seconded by Jerry, unanimous.

William Vongbandith - wanted cease and desist on property abutting his because of the fill brought in at 2 Harvard Street. Joe - that's not on the agenda. It's not under the board's jurisdiction. He would have to talk to building inspector or Selectmen's office.

Motion by Denis to continue to August 26, seconded by Mike, unanimous. There is still a cease and desist, and he would be in violation if he works on the property without NOI. The Reeds - he hasn't been working on the site. Joe - will still contact town counsel.

#### **Minutes:**

Open session June 24, 2014 - motion to approve made by Russ, seconded by Mike, 4 ayes, 1 abstention (Denis).

Executive Session June 24, 2014 – motion to accept made by Russ, seconded by Mike, 4 ayes, 1 abstention (Denis).

July 8, 2014 - motion to approve made by Denis, seconded by Russ, 4 ayes, 1 abstention (Mike).

**Correspondence**

- Letter from A. W. Learned – to be referred to Town Manager
- Old Colony Planning Council - submitted Open Space and Recreation Plan. Copies to be sent to boards for their review and comments (Planning Board, Park & Rec, Selectmen, School Committee, ZBA, Board of Health, Strawberry Valley Golf Course Committee, Griffin's Dairy Committee).

**Building permits/site visits** - Jerry reviewed. Visit to 498 Linwood Street – Shane Crowley used a small excavator on property to get in haybales; 275 Chestnut Street – someone had seen weed whacking along the edges. Mike – stones have been placed in front of right hand side by house, which was supposed to be entrance to parking, and gave permission for them to go around house the other way. Joe will take a drive out there and ask them to come in and give board an update.

Town Manager spoke with Chief Majenski, and the board can get id's. Will notify board when it's arranged. Mike – commissioners can't go on people's property; can go on commercial property, not on private, unless they have filed with the Commission.

Motion by Mike to adjourn at 8:35 p.m., seconded by Denis, unanimous.

Respectfully submitted,

Nancy Hurst